

## **REMARKS**

### **Status of the Claims**

Claims 1-18, 23-41 and 104-128 were pending as shown in the paper filed June 17, 2004. As shown above, claim 113 has been amended to specify that the sequence of interest is in a cell, thereby providing antecedent basis for the subsequent recitation that the plasmid is transiently transfected into the cell. Thus, claims 1-18, 23-41 and 104-128 are pending as shown above.

### **Terminal Disclaimer**

Applicants note with appreciation that the Terminal Disclaimer over the claims 1-26 of U.S. Patent No. 6,013,453 has been accepted.

### **Sequence Listing**

Applicants thank the Examiner for guidance regarding the form of revisions to the Sequence Listing. As requested in the Office Action, Applicants submit herewith (1) a paper copy showing (in the "old" sequence listing format and using square bracketing and underlining appropriate for a reissue) changes to SEQ ID NO:2 and (2) a clean copy of the computer readable form, in the "old" sequence listing format, incorporating the differences (*i.e.*, not having the deleted bracketed text in the listing and no underlining the added text). The amended paper sequence listing and the CRF are the same in substance and incorporate no new matter. Thus, the Sequence Listing is in acceptable form for this reissue application.

### **Oath/Declaration**

Applicants submit herewith a supplemental reissue declaration signed (electronically) by the co-inventor Yen Choo. Applicants are in the process of obtaining the signatures of the other inventors (A. Klug and I. Sanchez-Garcia) and will submit them under separate cover as soon as possible. This supplemental declaration includes the statements required by 37 C.F.R. § 1.63(b)(2)<sup>1</sup> and 1.175(b)(1)<sup>2</sup> and states that correction of errors in the original patent, by the instant reissue application, does not enlarge the scope of the original patent. The substitute declaration is thus believed to be in compliance with all applicable rules, and withdrawal of the rejection under 35 U.S.C. § 251 is therefore requested.

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<sup>1</sup> referring to all previous amendments

<sup>2</sup> stating that all errors arose without deceptive intent on the part of applicants

**Priority**

Applicants note that the specification was amended to reference all pending related reissue applications, and their relationship to one another, in a paper that was fax filed on December 22, 2004. For the Examiner's convenience, the amendments are made again herein.

**35 U.S.C. § 112, 2<sup>nd</sup> paragraph**

Claim 113 was rejected under 35 U.S.C. § 112, second paragraph as allegedly indefinite. In particular, the use of the term "the cell" was noted to lack antecedent basis. (Office Action, page 8).

Applicants have amended claim 113 as shown above to provide the necessary antecedent basis. Accordingly, the rejection has been obviated.

**Interview Summary**

Applicants agree with the substance of the February 19, 2004 Interview as presented in the Examiner's Interview Summary (form PTOL-413) that was attached to the Office Action.

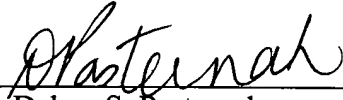
**CONCLUSION**

Applicants respectfully submit that the claims are in condition for reissuance. If the Examiner notes any further matters which the Examiner believes may be expedited by a telephone interview, the Examiner is requested to contact the undersigned.

Respectfully submitted,

Date: August 8, 2005

By: \_\_\_\_\_



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